

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

CHARLES F. TAYLOR,

Plaintiff,

vs.

JUSTIN JONES, et al.,

Defendants.

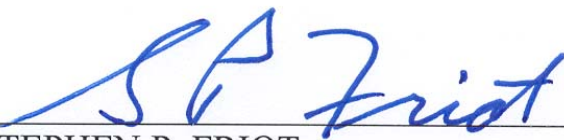
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Case No. CIV-05-0825-F

ORDER

On January 30, 2009, the Tenth Circuit Court of Appeals reversed the denial of Mr. Taylor's habeas action and remanded with instructions to grant the writ as to Mr. Taylor's conviction and death penalty, subject to the state's right to retry Mr. Taylor within a reasonable time. *See, Taylor v. Workman*, 554 F.3d 879 (10th Cir. 2009). No petition for certiorari was filed with the United States Supreme Court for review of that order. Accordingly, after careful review of the parties' papers, this court finds and concludes that Mr. Taylor no longer has standing in this action, which challenges Oklahoma's death penalty protocol, because this action is moot with respect to Mr. Taylor. Accordingly, after careful consideration of the parties' papers on this issue, this action is **DISMISSED** without prejudice because it is moot.

Dated this 8th day of June, 2009.


STEPHEN P. FRIOT
UNITED STATES DISTRICT JUDGE